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April 28, 2008

David Saliwanchik

David R. Saliwanchik, Patent Attorney

ELECTION UNDER 35 USC § 121
Examining Group 1646
Patent Application
Docket No. SPO-124

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Zachary C. Howard
Art Unit : 1646
Applicants : Tadao Saito *et al.*
Serial No. : 10/561,022
Filed : December 16, 2005
Conf. No. : 5950
For : Use of Toll-Like Receptor-Expressing Cells

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written restriction requirement dated April 2, 2008, the applicants hereby elect to prosecute the Group I claims, *i.e.* claims 1-7 and 12-15, drawn to a method of assessing whether a test sample activates the intestinal tract immune system, comprising contacting a test sample with a cell expressing an intestinal tract tissue-expressed Toll-like receptor (TRL) and measuring signal transduction activity of said receptor.